

UNITED STATES DISTRICT COURT
for
EASTERN DISTRICT OF NORTH CAROLINA
WESTERN DIVISION

U.S.A. vs. Eddie Dewayne Moulden

Docket No. 5:06-CR-70-1BO

Petition for Action on Supervised Release

COMES NOW Eddie J. Smith, probation officer of the court, presenting a petition for modification of the Judgment and Commitment Order of Eddie Dewayne Moulden, who, upon an earlier plea of guilty to 18 U.S.C. §§ 922(g)(1) and 924, Possession of Firearm by a Convicted Felon, was sentenced by the Honorable Terrence W. Boyle, U.S. District Judge, on October 11, 2006, to the custody of the Bureau of Prisons for a term of 70 months. It was further ordered that upon release from imprisonment the defendant be placed on supervised release for 36 months under the standard conditions adopted by the court and the following additional conditions:

1. The defendant shall participate as directed in a program approved by the probation office for the treatment of narcotic addiction, drug dependency, or alcohol dependency which will include urinalysis testing or other drug detection measures and may require residence or participation in a residential treatment facility.
2. The defendant shall consent to a warrantless search by a United States Probation Officer or, at the request of the probation officer, any other law enforcement officer, of the defendant's person and premises, including any vehicle, to determine compliance with the conditions of this judgment.

Eddie Dewayne Moulden was released from custody on May 6, 2011, at which time the term of supervised release commenced. On July 21, 2011, a violation report was submitted to the court reporting the defendant had been charged in Cumberland County, NC, on July 16, 2011, with the offenses of Failure to Wear Seat Belt-Driver, Driving While License Revoked (11CR723975) and Improper Use Temporary Dealer Permit/Tag (11CR723975). The defendant was verbally reprimanded and instructed not to drive until properly licensed. The court agreed to continue supervision.

On December 2, 2011, a violation report was submitted to the court reporting the defendant tested positive for cocaine on November 30, 2011. As a result, the defendant was referred to substance abuse counseling. The court agreed to continue supervision.

On July 30, 2012, a violation report was submitted to the court reporting the defendant had been charged in Cumberland County, NC, with the offense of No Operator's License (12CR721066). The defendant was again verbally reprimanded and instructed not to drive until properly licensed. The court agreed to continue supervision.

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RESPECTFULLY PRESENTING PETITION FOR ACTION OF COURT FOR CAUSE AS FOLLOWS: On October 24, 2012, the defendant was charged in Cumberland County, NC, with the offenses of Driving While License Revoked and Fictitious/Altered Title/Registration Card Tag (12CR730705). When confronted, the defendant admitted to driving with a revoked license. To provide a punitive sanction for this conduct, we are recommending that the conditions of supervised release be modified to include 24 hours of community service.

The defendant signed a Waiver of Hearing agreeing to the proposed modification of supervision.

PRAYING THAT THE COURT WILL ORDER that supervised release be modified as follows:

The defendant shall perform 24 hours of community service as directed by the probation office and if referred for placement and monitoring by the State of North Carolina, pay the required \$200 fee.

Except as herein modified, the judgment shall remain in full force and effect.

Reviewed and approved,

I declare under penalty of perjury that the foregoing is true and correct.

/s/ Robert K. Britt
Robert K. Britt
Senior U.S. Probation Officer

/s/ Eddie J. Smith
Eddie J. Smith
U.S. Probation Officer
310 Dick Street
Fayetteville, NC 28301-5730
Phone: (910) 483-8613
Executed On: November 2, 2012

ORDER OF COURT

Considered and ordered this 5th day of November, 2012, and ordered filed and made a part of the records in the above case.

Terrence W. Boyle
Terrence W. Boyle
U.S. District Judge